

A2  
5. (Amended) A corn plant produced by growing a seed of the corn variety I026458, wherein a sample of the seed of the corn variety I026458 was deposited under ATCC Accession No. PTA-3228.

A3  
14. (Amended) An essentially homogeneous population of corn plants produced by growing the seed of the corn variety I026458, wherein a sample of the seed of the corn variety I026458 was deposited under ATCC Accession No. PTA-3228.

15. (Amended) A corn plant capable of expressing all the physiological and morphological characteristics of the corn variety I026458, wherein a sample of the seed of the corn variety I026458 was deposited under ATCC Accession No. PTA-3228.

A4  
17. (Amended) A tissue culture of regenerable cells of a plant of corn variety I026458, wherein the tissue is capable of regenerating plants capable of expressing all the physiological and morphological characteristics of the corn variety I026458, wherein a sample of the seed of the corn variety I026458 was deposited under ATCC Accession No. PTA-3228.

A5  
20. (Amended) A corn plant regenerated from the tissue culture of claim 17, wherein the corn plant is capable of expressing all of the physiological and morphological characteristics of the corn variety designated I026458, wherein a sample of the seed of the corn variety I026458 was deposited under ATCC Accession No. PTA-3228.

21. (Amended) A process of producing corn seed, comprising crossing a first parent corn plant with a second parent corn plant, wherein one or both of the first or the second parent corn plant is a plant of the corn variety I026458, wherein a sample of the seed of the corn variety I026458 was deposited under ATCC Accession No. PTA-3228, wherein seed is allowed to form.

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22. (Amended) The process of claim 21, further defined as a process of producing hybrid corn seed, comprising crossing a first inbred corn plant with a second, distinct inbred corn plant, wherein the first or second inbred corn plant is a plant of the corn variety I026458, wherein a

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sample of the seed of the corn variety I026458 was deposited under ATCC Accession No. PTA-3228.

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30. (Amended) The corn plant of claim 27, wherein the locus confers a trait selected from the group consisting of herbicide tolerance; insect resistance; resistance to bacterial, fungal, nematode or viral disease; yield enhancement; waxy starch; improved nutritional quality; enhanced yield stability; male sterility and restoration of male fertility.

31. (Amended) A method of producing an inbred corn plant derived from the corn variety I026458, the method comprising the steps of:

- (a) preparing a progeny plant derived from corn variety I026458 by crossing a plant of the corn variety I026458 with a second corn plant, wherein a sample of the seed of the corn variety I026458 was deposited under ATCC Accession No. PTA-3228;
  - (b) crossing the progeny plant with itself or a second plant to produce a seed of a progeny plant of a subsequent generation;
  - (c) growing a progeny plant of a subsequent generation from said seed and crossing the progeny plant of a subsequent generation with itself or a second plant; and
  - (d) repeating steps (b) and (c) for an addition 3-10 generations to produce an inbred corn plant derived from the corn variety I026458.
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#### COMMENTS

The claims were amended herein to insert information regarding a seed deposit for the claimed inbred variety and to correct a clerical error in claim 30. The amendments do not change the scope of the claims and, accordingly, Applicant does not intend to disclaim any subject matter by the amendments. A marked copy of the amendments is provided in **Appendix A**. A